



STATE OF NEW JERSEY

**FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION**

In the Matter of Limmza Davis,
Program Specialist 2 Social Human
Services (PS0997H), Department of
Health

Examination Appeal

CSC Docket No. 2021-443

ISSUED: DECEMBER 21, 2020 (RE)

Limmza Davis appeals the determination of the Division of Agency Services (Agency Services) which found that she did not meet the minimum requirements in experience for the promotional examination for Program Specialist 2 Social Human Services (PS0997H), Department of Health.

The subject examination had a closing date of December 23, 2019 and was open to employees in the competitive division who had an aggregate of one year of continuous permanent service as of the closing date in the title Program Specialist 1 Social Human Services OR to employees in the competitive division who had an aggregate of one year of continuous permanent service as of the closing date in any competitive title and who met the announced requirements. These requirements included graduation from an accredited college or university with a Bachelor's degree, and two years of experience in planning, monitoring, coordinating, implementing, modifying and/or evaluating a social or human services program. Applicants who did not meet the announced educational requirement could substitute experience as indicated on a year for year basis. A Master's degree in a Social/Human services specialty area, Public or Business Administration, Child Advocacy and Policy, or Child Advocacy and Policy with a concentration in Public Child Welfare could be substituted for one year of experience. The appellant was found to be below the minimum requirements in experience. Three candidates appear on the eligible list which has been certified twice, and one has been appointed.

The appellant indicated that she possessed a Bachelor's degree and a Master's degree in Business Administration, which could substitute for one year of experience. Therefore, the appellant was required to possess one year of applicable experience. She listed five positions on her application and resume: provisional Program Specialist 2 Social Human Services, Principal Income Maintenance Technician, Senior Income Maintenance Technician and two positions as an Income Tax Preparer. The appellant was credited with eleven months of experience in her provisional position, and she was found to be lacking one month of applicable experience.

On appeal, the appellant argues that she remains in her provisional position as an Interim Assistance Program coordinator, and possesses a Master's degree in Business Administration.

CONCLUSION

N.J.A.C. 4A:4-2.6(a) provides that applicants shall meet all requirements specified in the promotional examination announcement by the closing date. *N.J.A.C.* 4A:1-1.2(c) states that the Civil Service Commission may relax a rule for good cause in particular situations, on notice to affected parties, in order to effectuate the purposes of Title 11A, New Jersey Statutes.

A review of the appellant's application reveals that the decision by Agency Services, denying the appellant's admittance to the subject examination since she does not possess the required experience, was correct. She received credit for her experience as a provisional in the subject title, however, she could not receive credit for her remaining experience, as the experience did not have the announced requirements as the primary focus of the positions. Nonetheless, the eligible list is incomplete, and the appellant has accrued more than an additional one month of full-time experience since the December 2019 closing date. Based on the circumstances presented, good cause has been established to relax the provisions of *N.J.A.C.* 4A:4-2.6(a) to accept the appellant's additional experience beyond the closing date and admit her to the examination for prospective appointment consideration.

ORDER

Therefore, it is ordered that this appeal be granted, and the appellant's application be processed for prospective employment opportunities only.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON
THE 16TH DAY OF DECEMBER 2020

Deirdre' L. Webster Cobb

Deirdré L. Webster Cobb
Chairperson
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